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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/597,743

08/04/2006

Myung-Soon Bae

2017-103

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52706

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01/22/2009

IPLA P.A.

3580 WILSHIRE BLVD.

17TH FLOOR

LOS ANGELES, CA 90010

EXAMINER

SWENSON, BRIAN L

ART UNIT

PAPER NUMBER

3618

MAIL DATE

DELIVERY MODE

01/22/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/597,743 | BAE, MYUNG-SOON | |
| | Examiner | Art Unit | |
| | BRIAN SWENSON | 3618 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2-12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/4/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 2,767,799 issued to Ring in view of U.S. Patent No. 5,342,113 issued to Wu.

Ring teaches in Figures 1-6 and respective portions of the specification of a multifunctional electric-powered infant car with cradle function comprising: a car body (21) having a plurality of rolling wheels (13) attached thereto, the car body being configured such that the car body can be moved by driving wheels operated in an electric-powered fashion (see Figure 2 where motor 22 is mechanically connected with drive axle 11 and wheels 13); and a cradle unit (20) mounted on the car body such that the cradle unit can be moved back and forth (link 74, rotates the cradle unit back and forth), the cradle unit having a supporting frame vertically mounted (via element 17); a car body driving unit mounted to the bottom part of the car body base for transmitting a one-way rotating force generated from a driving motor (22) to the driving wheels via a driving force transmitting part (element 71 transmits a one-way rotation force to drive axle 11); and a cradle driving unit (link 74 is connected with drive axle 11 in Figure 2) configured to receive the driving force generated from the driving motor of the car body driving unit for moving the cradle unit back and forth.

Ring discloses the claimed invention except for showing the details of the cradle unit, including whether the cradle unit includes an inclination-adjustable back.

Wu teaches in Figures 1-4 and respective portions of the specification of an electric-powered infant car (10) with a cradle (20) that includes an inclination-adjustable backrest (see Figure 1 where the rocking mechanism can adjust the inclination of the backrest; compare Figures 1 and 4). It would have been obvious to one having ordinary skill in the art at the time of invention to provide the inclination-adjustable backrest, as taught by Wu, in the invention taught by Ring to provide an additionally mode of oscillation for the electric-powered infant car.

Allowable Subject Matter

2. Claims 2-12 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject: the primary reason for the indication of allowable subject matter in this case is the inclusion of: a driving force transmitting part including a one-way bearing fitted on a shaft of the driving motor; a driving gear disposed on the outer circumferential surface of the one-way bearing; a driving force transmitting gear engaged with the driving gear for transmitting the driving force to a driven gear connected with the wheel driving shaft; a horizontal gear attached to the lower end of the wheel driving shaft and a vertical beveled gear engaged with the horizontal bevel gear; a wheel shaft horizontally inserted in an inner hole defined in the vertical bevel gear such that the driving wheels are

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attached to both ends of the wheel shaft; and a driving wheel case rotatably fitted on the wheel driving shaft such the driving wheels are surrounded by the driving wheel case; for an electric-powered infant car with a cradle function including a car body and a cradle unit driven back and forth by the driving motor, in combination with the other elements recited, not found in the prior art of record.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,711,045 issued to Caster et al. teach of an infant seat with three-degrees of movement to provide rocking.

U.S. Patent No. 6,148,942 issued to Mackert, Sr. teaches of a powered-stroller.

U.S. Patent No. 2,566,983 issued to Coltrane teach of a child's vehicle.

U.S. Patent No. 7,036,880 issued to Goodman teach of an infant seat for simulating a mobile vehicle.

U.S. Patent No. 5,845,724 issued to Barrett teach of a ride-on vehicle, controlled by a child.

U.S. Patent No. 7,198,122 issued to Smith teach of a stroller transporter.

U.S. Patent No. 6,814,670 issued to Morita et al. teach of a control device for a cradle.

U.S. Patent No. 5,615,428 issued to Li and U.S. Patent No. 6,068,566 issued to Kim teach of cradles with rocking motion.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRIAN SWENSON whose telephone number is (571)272-6699. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Ellis can be reached on (571) 272-6914. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher P Ellis/
Supervisory Patent Examiner, Art Unit 3618

Brian Swenson
Examiner
Art Unit 3618

/B. S./
Examiner, Art Unit 3618